

### **Remarks**

Claims 1, 3-6, 9-16, and 18-21 remain in the application. Claims 2, 7-8, and 17 are hereby canceled without prejudice. Claims 1, 5, 9, 13, 14, 15, 16, and 21 are hereby amended. No new matter is being added.

### Claim Rejections -- 35 U.S.C. 112

Claims 5, 13 and 14 were rejected under 35 U.S.C. 112, second paragraph. These claims are hereby amended so as to overcome this rejection.

In particular, claim 5 is amended to delete the variables "Lm" and "Am". Claims 13 and 14 are amended so as to depend from claim 9, rather than claim 7. Claim 9 provides the antecedent basis for "the calculation circuitry."

With the above-discussed amendments, applicants respectfully submit that this rejection is now overcome.

### Allowable Subject Matter

Original claim 8 is objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has hereby amended claim 1 to include all the limitations of dependent claim 8 and intervening claim 2. In particular, claim 1 now includes the following added limitation: "wherein the fabric-adjusted meter modifier is also dependent on a payload size of the packet, and determining the fabric-adjusted meter modifier comprises summing outputs from a plurality of comparators with the payload size if specified by a user configurable flag." Therefore, since the limitations of original claims 1, 2 and 8 are now in amended claim 1, applicant respectfully submits that claim 1 is now in form for allowance.

Claims 3-6 depend from claim 1. As such, applicant respectfully submits that claims 3-6 are now also in form for allowance.

Claim 9 is amended similarly as claim 1. In particular, claim 9 now recites the following: "wherein the fabric-adjusted meter modifier is also dependent on a payload size of the packet, and determination of the fabric-adjusted meter modifier comprises summing outputs from a plurality of comparators with the payload size if specified by a user configurable flag." Therefore, for similar reasons as discussed above in relation to amended claim 1, applicant respectfully submits that amended claim 9 is now also in form for allowance.

Claims 10-14 depend from claim 9. As such, applicant respectfully submits that claims 10-14 are now also in form for allowance.

Claim 15 is also amended similarly as claim 1. In particular, claim 15 now recites the following: "wherein the fabric-adjusted meter modifier is also dependent on a payload size of the packet, and said means for determining the fabric-adjusted meter modifier sums outputs from a plurality of comparators with the payload size if specified by a user configurable flag." Therefore, for similar reasons as discussed above in relation to amended claim 1, applicant respectfully submits that amended claim 15 is now also in form for allowance.

Claim 16 is also amended similarly as claim 1. In particular, claim 16 now recites the following: "wherein the meter modifier function is also dependent on a payload size of the packet; and determining the meter modifier function, including summing outputs from a plurality of comparators with the payload size if specified by a user configurable flag." Therefore, for similar reasons as discussed above in relation to amended claim 1, applicant respectfully submits that amended claim 16 is now also in form for allowance.

Claims 17-20 depend from claim 16. As such, applicant respectfully submits that claims 17-20 are now also in form for allowance.

Claim 21 is also amended similarly as claim 1. In particular, claim 21 now recites the following: "wherein the user-configurable meter modifier functions are dependent on a payload size of the packet; and determining the user-configurable meter modifier functions, including summing outputs from a plurality of comparators with the payload size if specified by a user configurable flag." Therefore, for similar reasons as discussed above in relation to amended claim 1,

applicant respectfully submits that amended claim 21 is now also in form for allowance.

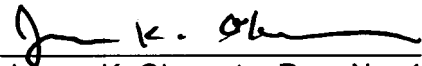
### Conclusion

For the above-discussed reasons, applicant believes that the pending claims, as amended, are now in form for allowance. Favorable action is respectfully requested.

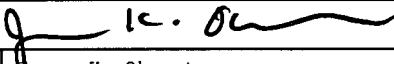
If for any reason an insufficient fee has been paid, the Commissioner is hereby authorized to charge the insufficiency to Deposit Account No. 08-2025.

Respectfully Submitted,

Dated: July 12, 2007



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